

Nicholas J. Accurso, Esq. (NA 1853)
An Associate with the Firm of
REARDON & SCLAFANI, P.C.
Attorneys for Defendants
Avis and PV Holding
220 White Plains Road, Suite 235
Tarrytown, New York 10591
(914) 366-0201

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DAWN BARKER,

Plaintiffs,

NOTICE OF MOTION

- against -

08 CIV. 4517 (JSR) (JCF)

BRENDA A. ITHIER, PV HOLDING CORP.
and AVIS BUDGET GROUP, INC.,

Defendants.

-----X
S I R S :

PLEASE TAKE NOTICE, that the defendants PV Holding Corp. and Avis Budget Group, Inc. will move this Court before Hon. Jed S. Rakoff, U.S.D.J., United States District Court, at the United States Courthouse, Room 14A, 500 Pearl Street, New York, New York, for an order pursuant to Fed. R. Civ. P. 56(b), 49 U.S.C. 30106 and New York's Vehicle and Traffic Law §§128 and 388(1) dismissing the complaint against the defendants Avis Budget Group, Inc. and PV Holding Corp. and for such other and further relief as the Court deems just and proper. All opposition papers are to be served and filed by September 2, 2008. Reply papers are to be served and filed by September 9, 2008. Oral argument will be held at 4:00 p.m. on September 16, 2008.

Dated: Tarrytown, New York
July 31, 2008

Yours, etc.,

REARDON & SCLAFANI, P.C.
Attorneys for Defendants
Avis & PV Holding
OFFICE & P.O. ADDRESS
220 White Plains Road, Suite 235
Tarrytown, New York 10591
(914) 366-0201

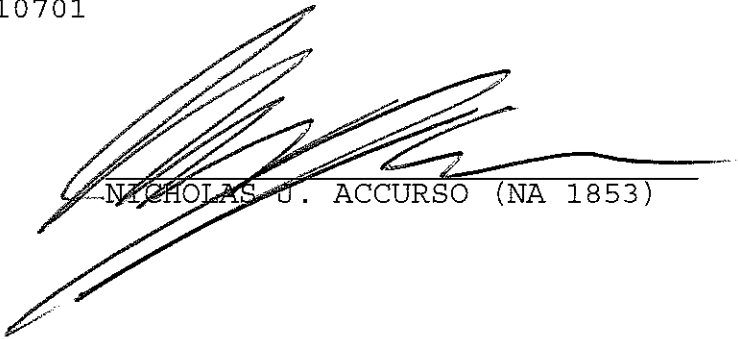
By: 
NICHOLAS J. ACCURSO (NA 1853)

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on August 1, 2008, he caused to be served a true and correct copy of the within NOTICE OF MOTION AND SUPPORTING DOCUMENTS by ECF to:

TO: Greenstein & Milbauer, LLP
Attorneys for Plaintiff
1825 Park Avenue, 9th Floor
New York, New York 10035

Buratti, Kaplan, McCarthy
& McCarthy, Esqs.
Attorneys for Defendant Ithier
One Executive Boulevard, Suite 280
Yonkers, New York 10701



NICHOLAS J. ACCURSO (NA 1853)